

DOCKET NO: UPAP0011-100**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED
CENTRAL FAX CENTER****JAN 20 2006****In re application of: Weiner *et al.*****Serial No.: 09/622,452****Group Art Unit: 1632****Filed: October 31, 2000****Examiner: Anne Marie Sabrina Webbe****Title: VACCINES, IMMUNOTHERAPEUTICS AND METHODS FOR USING
THE SAME****Declaration of Dr. David B. Weiner
Pursuant to 37 CFR § 1.132****I, David B. Weiner, do hereby declare:**

1. I am a co-inventor of the subject matter claimed in the above-identified patent application.
2. I have performed and/or supervised the performance and/or collaborated in the performance of experiments designed to study the immunomodulatory effects associated with the use of DR5, and the nucleic acids that encode it, in DNA vaccines.
3. The attached manuscript, which is designated as Exhibit 1, contains data from experiments designed to study the immunomodulatory effects associated with the use of nucleic acid molecules that encode DR5 in DNA vaccines.
4. Experiments described in the manuscript include a comparison of immune responses induced in mice by injection of a plasmid that encodes an HIV antigen with the of immune responses induced in mice by injection of a combination of plasmid that encodes the HIV antigen and plasmid that encodes an Adjuvant, in which the Adjuvant was either DR5, OX40, Fas, RANK, or TNFR. Plasmid pVax, an empty vector plasmid, was used as a control Adjuvant.

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5. Data in the manuscript show mice receiving the combination of plasmid that encoded Antigen and plasmid that encoded DR5 exhibited enhanced immune responses compared to those observed in mice that received plasmid that encoded Antigen, or to those that received the combination of plasmid that encoded Antigen and plasmid that encoded one of the other Adjuvants.
6. Experiments described in the manuscript include a comparison of immune responses induced in mice by injection of a plasmid that encoded an HIV antigen only with the immune responses induced in mice by injection of a combination of plasmid that encoded an HIV antigen and plasmid that encoded DR5, and the immune responses induced in mice by injection of a combination of plasmid that encoded an HIV antigen and plasmid that encoded a mutated form of DR5.
7. Data in the manuscript show mice receiving the combination of plasmid that encoded Antigen and plasmid that encoded non-mutated DR5 exhibited enhanced immune responses compared to those observed in mice that received plasmid that encoded Antigen, or those that received the combination of plasmid that encoded Antigen and plasmid that encoded mutated DR5.
8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 1/20/06

Exhibit 1

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By: 
Dr. David B. Weiner